

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA

NOTICE OF PUBLIC HEARING

TIME AND PLACE: **Thursday, December 14, 2006, @ 6:30 P.M.**
 Office of Zoning Hearing Room
 441 4th Street, N.W. - Suite 220
 Washington, D.C. 20001

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

Zoning Commission Case No. 02-51A (Review and Approval of PUD Modification at 1616 Rhode Island Avenue)

THIS CASE IS OF INTEREST TO ANC 2B

On May 31, 2006, the Office of Zoning received an application from Rhode Island Associates Limited Partnership (the "Applicant"), requesting consolidated review and approval of a modification to an approved PUD to develop an office building on the proposed site. The Office of Planning submitted its report on June 27, 2006 and the Zoning Commission set down the case for a public hearing on July 10, 2006. The Applicant filed its pre-hearing statement on July 27, 2006.

The property that is the subject of this application is located at 1616 Rhode Island Avenue, N.W. (Square 182, Lots 82 and 83) ("PUD Site"). This modification request is for the unfinished portion (Lot 82) ("Project Site") of a PUD Modification granted by the Zoning Commission in 1998 in Commission Order Nos. 638 and 638-F. In accordance with Chapter 24 and Section 102 of the District of Columbia Zoning Regulations, this case is being heard and decided by the Zoning Commission.

The total land area of the PUD Site is 32,726 square feet. The Project Site has a site area of 15,394 square feet, has frontage along Rhode Island Avenue, N.W., and is currently occupied by a parking lot. The PUD Site was located in the SP-2 Zone District, but is now located in the C-4 Zone District pursuant to Commission Order Nos. 638 and 638-F.

Consistent with the PUD guidelines for the C-4 Zone District, the entirety of the buildings on the PUD Site will have a total FAR of 8.5 and will occupy 96% of the PUD Site and the new office building will be approximately 104 feet in height. The new office building will be comprised of approximately 129,680 square feet. The proposed office building will also include a pedestrian entrance on Rhode Island Avenue, N.W. and below grade parking for approximately 90 automobiles that will be accessed from Rhode Island Avenue, N.W.

This public hearing will be conducted in accordance with the provisions of § 3022 (Contested Case Hearings), District of Columbia Municipal Regulations (DCMR) Title 11, Zoning.

How to participate as a witness.

Interested persons or representatives of organizations may be heard at the public hearing. The Commission also requests that all witnesses prepare their testimony in writing, submit the written testimony prior to giving statements, and limit oral presentations to summaries of the most important points. The applicable time limits for oral testimony are described below. Written statements, in lieu of personal appearances or oral presentation, may be submitted for inclusion in the record.

How to participate as a party.

Any person who desires to participate as a party in this case must so request and must comply with the provisions of 11 DCMR § 3022.3.

A party has the right to cross-examine witnesses, to submit proposed findings of fact and conclusions of law, to receive a copy of the written decision of the Zoning Commission, and to exercise the other rights of parties as specified in the Zoning Regulations.

Except for the affected ANC, any person who desires to participate as a party in this case must clearly demonstrate that the person's interests would likely be more significantly, distinctly, or uniquely affected by the proposed zoning action than other persons in the general public. Persons seeking party status **shall file with the Commission, not less than fourteen (14) days prior to the date set for the hearing, a written statement containing the following information:**

- (a) The person's name, address, and daytime telephone number;
- (b) A request to appear and participate as a party;
- (c) Whether the person will appear as a proponent or opponent of the application;
- (d) Whether the person will appear through legal counsel, and if so, the name and address of legal counsel;
- (e) A list of witnesses who will testify on the person's behalf;
- (f) A summary of the testimony of each witness;
- (g) An indication of which witnesses will be offered as expert witnesses, the areas of expertise in which any experts will be offered, and the resumes or qualifications of the proposed experts;
- (h) The total amount of time being requested to present their case; and

- (i) A written statement setting forth why the person should be granted party status, including reference to the following:
 - (1) The property owned or occupied by the person, or in which the person has an interest, that will be affected by the action requested of the Commission;
 - (2) The legal interest the person has in said property, such as owner, tenant, trustee, or mortgagee;
 - (3) The distance between the person's property and the property that is the subject of the application before the Commission;
 - (4) The economic, social, or other impacts likely to affect the person and/or the person's property if the action requested of the Commission is approved or denied; and
 - (5) An explanation of how the person's interest as identified in response to paragraph (4) would likely be more significantly, distinctively, or uniquely affected in character or kind by the proposed zoning action than those of other persons in the general public.

The applicant shall also provide the information indicated in (e) through (h) to the extent that the information is not contained in the Applicant's prehearing submission as required by 11 DCMR § 3013.1. The information shall be filed no later than fourteen (14) days before the date of the hearing.

If an affected Advisory Neighborhood Commission (ANC) intends to participate at the hearing, the ANC shall submit the written report described in § 3012.5 no later than seven (7) days before the date of the hearing. The report shall also contain the information indicated in (e) through (h) above.

Time limits.

The following time limits for oral testimony shall be adhered to unless changed by the Commission, and no time may be ceded:

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| 1. | Applicant and parties in support | 60 minutes collectively |
| 2. | Parties in opposition | 15 minutes each (60 minutes collectively) |
| 3. | Organizations | 5 minutes each |
| 4. | Individuals | 3 minutes each |

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Information responsive to this notice should be forwarded to the Director, Office of Zoning, Suite 210, 441 4th Street, N.W., Washington, D.C. 20001. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

CAROL J. MITTEN, ANTHONY J. HOOD, JOHN G. PARSONS, MICHAEL G. TURNBULL, AND GREGORY N. JEFFRIES ----- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY JERRILY R. KRESS, FAIA, DIRECTOR, AND BY SHARON S. SCHELLIN, SECRETARY TO THE ZONING COMMISSION.